

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMELIA ROSKIN-FRAZEE,

Plaintiff,

v.

COLUMBIA UNIVERSITY,

Defendant.

Case No. 1:17-cv-02032

[PROPOSED] ORDER

This matter came before the Court upon the joint motion of the parties, pursuant to Rule 62.1 of the Federal Rules of Civil Procedure, asking the Court to indicate its willingness to accept a limited remand from the United States Court of Appeals for the Second Circuit and proceed to amend this Court's Memorandum Decision and Order, dated February 21, 2018, to grant Defendant's motion to dismiss *without* prejudice and *with* leave to replead, while also preserving without limitation Defendant's right to seek dismissal of any subsequently-filed amended complaint.

Having considered the parties' motion and the entire record, the Court is of the opinion, and so finds, that if the case is remanded to it by the Court of Appeals for the Second Circuit, it will grant the relief requested.

IT IS, THEREFORE, ORDERED BY THE COURT that if this case is remanded to the District Court by the Court of Appeals, this Court will grant the parties' joint motion, pursuant to Rule 62.1 of the Federal Rules of Civil Procedure, and proceed to amend its February 21, 2018 Memorandum Decision and Order to grant Defendant's motion to dismiss

without prejudice and *with* leave to replead, while also preserving without limitation Defendant's right to seek dismissal of any subsequently-filed amended complaint.

ENTERED this _____ day of _____, 2018.

GEORGE B. DANIELS
United States District Judge